

DISPOSITION: 4-25-60 and 4-27-60. Clinton Elijah, claimant, having answered the Government's interrogatories and later consented to the entry of a decree, judgment of condemnation was entered and the court ordered that 36 bracelets and leaflets be delivered to the Food and Drug Administration and that the remainder of the articles be destroyed.

6120. Unassembled color lamp units. (F.D.C. No. 43324. S. No. 53-109 P.)

QUANTITY: 5 unassembled units consisting of lamp bases and colored plastic slides at Arlington, Calif., in possession of Stanley A. Burroughs, t/a Burroughville Specialties.

SHIPPED: (Lamp bases) During February 1959, from Brooklyn, N.Y., and (color slides) during May 1959, from New York, N.Y.

LABEL IN PART: (Lamp base) "Inspected Portable Lamp Issue No. 20,994."

ACCOMPANYING LABELING: Books entitled "Living Creatively through Vita-Flex, Color Vibration and Nutrition" and booklets entitled "Master Cleanser."

RESULTS OF INVESTIGATION: Examination showed that the lamp base was a spring-clamp portable unit with adjustable socket, porcelain keyless mechanism, cord and plug.

The slides were of colored plastic cut 7" by 8" and were in sets of five colors, red, yellow (orange), green, blue, and violet (dark blue).

LIBELED: 8-6-59, S. Dist. Calif.

CHARGE: 502(a)—While held for sale, the labeling which accompanied the article contained false and misleading representations that the article was a necessary adjunct to the adequate and effective treatment of boils; abscesses; carbuncles; eczema; all types of weeping or dry sores anywhere on the body; cancer; leukemia; tumors; varicose veins; hemorrhoids; glaucoma; phlebitis; colds; influenza; virus X; measles; whooping cough; scarlet fever; pneumonia; bronchial disorders; all diseases of the eyes, nose and throat; arthritis; rheumatism; bursitis; neuritis; constipation; anemia (all kinds); asthma; hay fever; sinusitis; tuberculosis and all other diseases which may effect the body of man.

DISPOSITION: On 8-24-59, Stanley A. Burroughs, claimant, filed an answer denying that the article was misbranded, and in addition filed a counter claim for damages against the Government. On 9-11-59, the Government filed a motion to strike portions of claimants answer, including claimants counter claim. On 12-18-59, the claimant filed an amended answer.

On 1-4-60, the Government's motion to strike was granted. On 2-1-60, the Government served written interrogatories upon the claimant, and filed requests for admissions with the court. Thereafter, upon consent of the claimant, the claimant's answer was withdrawn, and a default decree was entered ordering the article delivered to the Food and Drug Administration.

INDEX TO NOTICES OF JUDGMENT D.D.N.J. NOS. 6081 TO 6120

PRODUCTS

	N.J. No.		N.J. No.
Allure bust development device	6082-	Arthritis, remedy for	6081
	6084	See Rheumatism, remedies	
Allure (B-Former) cream	6094	for.	
Amphetamine sulfate tablets	6088	Bath minerals	6090
dextro-, sulfate tablets	6088	Beautiaire massage pillow	6115

U.S. Department of Health, Education, and Welfare
FOOD AND DRUG ADMINISTRATION

**NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD,
 DRUG, AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

6121-6160

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. They involve drugs which are required at time of interstate shipment to bear a label containing the statement "Caution: Federal law prohibits dispensing without prescription," and which were dispensed after such shipment without a prescription or by refilling a prescription without authorization. This dispensing was contrary to Section 503(b)(1) and thereby resulted in the dispensed drugs being misbranded while held for sale.

Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, Commissioner of Food and Drugs.

WASHINGTON, D.C., November 25, 1960.

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